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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) CASE NO. CR 17-0517 HSG
Plaintiff,)
v.)
KENZO MATEO TOKUDA,) STIPULATION AND [PROPOSED] ORDER
Defendant.) QUASHING WRIT OF HABEAS CORPUS AD
) PROSEQUENDUM
)
)

STIPULATION

1. On February 27, 2018, at the government's request, the Court issued a Writ of Habeas Corpus Ad Prosequendum for defendant, Kenzo Mateo Tokuda, who is in pretrial custody in San Mateo County. (ECF 16.) Before requesting the Writ, government counsel attempted to contact defense counsel about the appearance, but was unable to reach defense counsel due to his trial schedule. At the time the Court issued the Writ, the above-captioned matter was set for a status conference before the Hon. Haywood S. Gilliam, Jr. on March 12, 2018 at 2:00 p.m.

2. Since February 27, 2018, the parties have had an opportunity to confer about the case. Because defense counsel needs additional time to review discovery, research possible defenses, and meet with defendant, the parties filed a stipulation proposing to continue the status conference. (ECF

1 17.) As noted in the stipulation, the parties did not wish to writ defendant into federal custody
2 unnecessarily. On March 6, 2018, the Court ordered that the matter be continued to April 23, 2018 at
3 2:00 p.m. (ECF 18.)

4 3. As defendant's presence is no longer required in the District Court on March 12, 2018, at
5 2:00 p.m., the parties respectfully request that the Court quash the Writ of Habeas Corpus Ad
6 Prosequendum.

7 4. If defendant remains in state custody at the time of the next federal court appearance, the
8 government will seek another Writ of Habeas Corpus ad Prosequendum from this Court.

9 **IT IS SO STIPULATED.**

10
11 DATED: March 6, 2018

ALEX G. TSE
Acting United States Attorney

12
13 /s/
14 KATHERINE L. WAWRZYNIAK
15 Assistant United States Attorney

16 DATED: March 6, 2018

17 /s/
18 EDWARD A. SMOCK
19 Counsel for Defendant Kenzo Mateo Tokuda

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) NO. CR 17-0517 HSG
Plaintiff,)
v.) {PROPOSED} ORDER QUASHING WRIT OF
KENZO MATEO TOKUDA,) HABEAS CORPUS AD PROSEQUENDUM
Defendant.)

11 Based on the parties' stipulation, and for good cause shown, the Writ of Habeas Corpus Ad
12 Prosequendum issued in this matter on February 27, 2018, is hereby quashed. Defendant is no longer
13 required to appear before the Hon. Haywood S. Gilliam, Jr. on March 12, 2018, at 2:00 p.m.

IT IS SO ORDERED.

DATED: 3/6/18

Kandis Westmore
HONORABLE KANDIS A. WESTMORE
United States District Judge